

10/577239

IAP12 Rec'd PCT/PTO 26 APR 2006

PATENT
Customer No. 22,852
Attorney Docket No. 09013.0009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Simon BATES et al.)	Group Art Unit: TO BE ASSIGNED
)	
Application No.: NEW)	Examiner: TO BE ASSIGNED
)	
Filed: April 26, 2006)	
)	
For: METHOD FOR INDEXING)	Confirmation No.: TO BE ASSIGNED
CRYSTALLINE SOLID FORMS)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed together with this application.

Copies of the listed non-patent literature documents are attached. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form and returning it to Applicants' undersigned representative.

With respect to the non-English language document Le Bail, "Liste Complete des Productions Scientifiques 1976-2004," Applicants have submitted the English language search report, generated for the corresponding international application, citing this document.

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This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

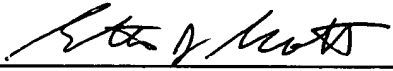
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: April 26, 2006

By: 
Steven J. Scott
Reg. No. 43,911

I&S Form PTO/SB/08: Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)			Complete 10/577239 Application Number NEW Filing Date April 26, 2006 First Named Inventor Simon BATES Art Unit TO BE ASSIGNED Examiner Name TO BE ASSIGNED Attorney Docket Number 09013.0009	
Sheet	1	of	1	

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No. ¹	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US2004/0103130 A1	27May2004	Ivanisevic et al.	

Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁵	
		Le Bail, "Monte Carlo indexing with McMaille," Structure Solution from Powder Diffraction Data SSPD03 [Online], pp. 1-31 (2003) XP002326866		
		Le Bail, "Liste Complete des Productions Scientifiques 1976-2004," [Online] p. 13 (2004) XP002327153		
		Le Bail, "Monte Carlo indexing with McMaille," Powder Diffraction, vol. 19, no. 3, pp. 249-254 (2004)		
		Coelho, "Indexing of powder diffraction patterns by iterative use of singular value decomposition," Journal of Applied Crystallography, vol. 36, pp. 86-95 (2003) XP009047143		
		Jacobson, "A Monte Carlo method for indexing," Zeitschrift Fur Kristallographie, vol. 212, no 10, pp. 689-690 (1997) XP009047153		
		Kariuki, "A new approach for indexing powder diffraction data based on whole-profile fitting and global optimization using a genetic algorithm," Journal of Synchrotron Radiation, vol. 6, pp. 87-92 (1999) XP009047154		
		Hwang, "Xrayscan: an indexing program considering dense spurious peaks in an optimization method," Chinese Journal of Physics, vol. 34, no. 1, pp. 47-57 (1996) XP002326868		
		Shirley, "Overview of powder-indexing program algorithms (history and strengths and weaknesses)," IUCR COMPUT. COMMISS. NEWSLETT. [Online], vol. 2, pp. 48-54 (2003) XP002326869		

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.